IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE
MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

WA.No. 392 of 2007()

AGAINST THE JUDGEMENT/ORDER IN WPC.2846/2007 Dated 24/01/2007
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APPELLANT/ PETITIONER :

M/S INDIAN OIL CORPORATION LTD.,
ERNAKULAM, REP. BY A. SELVAM,
DEPUTY MANAGER (FINANCE).

BY ADV. SRI.JOSE JOSEPH

RESPONDENTS/RESPONDENTS:
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1. **THE ASST. COMMISSIONER (ASSMT.) I,**
   SPECIAL CIRLCE II, COMMERCIAL TAXES,
   ERNAKULAM.

2. **THE DEPUTY COMMISSIONER (APPEALS) II,**
   COMMERCIAL TAXES, ERNAKULAM.

BY GOVERNMENT PLEADER SRI. MATHEW G. VADAKKEL.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 15/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S. RADHAKRISHNAN(AG.C.J.) & M.N. KRISHNAN,J.

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W.A. NO. 392 OF 2007

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Dated this the 15th day of February, 2007.

J U D G M E N T

Radhakrishnan,(Ag.C.J.)

Heard counsel on either side. Considering the facts and circumstances of the case we are inclined to modify Ext.P6 order, making it clear that the appellant shall remit 25% of the balance tax due in respect of the Bank Guarantee as per Ext.P6 order dated 12/1/07. Counsel for the appellant submitted that he has already paid 25% of the balance tax due. The submission is recorded and the order passed in Ext.P6 is accordingly modified.

The Writ Appeal is disposed of as above.

K.S. RADHAKRISHNAN,
(AG. CHIEF JUSTICE).

M.N. KRISHNAN, JUDGE.

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